

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DENNIS DIMON,)	
)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 05-11073 WGY
)	
METROPOLITAN LIFE INSURANCE CO.,)	
KEMPER INSURANCE CO., MORGAN)	
STANLEY DW, INC., MICHAEL B. LATTI,)	
LATTI ASSOCIATES, and LATTI & ANDERSON))	
LLP.)	
)	
Defendants.)	

JOINT MOTION TO SUSPEND THE SCHEDULING ORDER

The parties hereby jointly move to suspend the remaining scheduling order deadlines, including the summary judgment deadline of November 15, 2006, until such time as this case is re-assigned to a new judge and a new scheduling order is issued. As grounds for this Motion, the parties state the following:

1) Judge Young recused himself from this case on November 2, 2006, and the Court has not yet assigned a new judge. Attached as Exhibit A is a copy of the Order of Recusal.

2) The current scheduling order is as follows:

Dispositive Motions November 15, 2006

Final Pre-Trial Conference No sooner than March 5, 2007

Set for Trial List April 2, 2007

3) In light of the fact that this case does not currently have a judicial assignment, the parties believe that it is in all parties' interest to suspend the current scheduling order, including the November 15th dispositive motion deadline, until such time as a new judge is assigned to the case. Once a new judge is assigned, the parties request that a case management hearing be promptly held to establish the schedule for the remainder of the litigation.

Respectfully submitted by all parties,

MICHAEL B. LATTI,
LATTI ASSOCIATES, and
LATTI & ANDERSON LLP,

METROPOLITAN LIFE INSURANCE
COMPANY

By its attorneys,

By their attorneys,

/s/ John E. DeWick
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DENNIS DIMON

MORGAN STANLEY DW, INC.

By his attorneys,

By its attorney,

/s/ Brian Keane
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KEMPER INSURANCE COMPANY

By its attorney,

/s/ Timothy O'Driscoll

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIMON

CIVIL ACTION
NO.05-11073-WGY

V

METROPOLITAN LIFE INSURANCE COMPANY, ET AL

ORDER OF RECUSAL

YOUNG, D.J.

The presiding judge recuses himself on the ground that he is a shareholder in one of the corporate parties to this litigation.

WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE

By the Court,

/s/ Elizabeth Smith

Deputy Clerk